

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jason D. Bonk *et al.*
Serial No.: 10/596,897
Confirmation No.: 1956
Filed: June 28, 2006
For: IMIDAZOQUINOLINYL SULFONAMIDES
Examiner: Rita J. Desai
Art Unit: 1625

DECLARATION OF JASON D. BONK UNDER 37 C.F.R. § 1.132

I, Jason D. Bonk, declare that:

1. I am an inventor of the subject matter disclosed and claimed in U.S. Patent Application, Serial No. 10/596,897, filed June 28, 2006, entitled "IMIDAZOQUINOLINYL SULFONAMIDES" (the '897 application).

2. This Declaration is presented for the purpose of removing from consideration by the Examiner published PCT application, WO 2004/058759, filed December 18, 2003, and published July 15, 2004 (the '759 publication). The present Declaration is presented in accordance with *In re Katz*, 687 F.2d 450, 215 USPQ 14 (CCPA 1982), and establishes that the allegedly anticipatory material in the '759 publication was not invented by another.

3. Joseph F. Dellaria and I are the inventors on the instant application.

4. David S. Hays, Shri Niwas, Tushar Kshirsagar, Tarun K. Ghosh, Shalley K. Gupta, Philip D. Heppner, Bryon A. Merrill, Michael E. Danielson, John F. Gerster, Chad A. Haraldson, Sarah Johannessen, Maureen A. Kavanagh, Kyle J. Lindstrom, Ryan B. Prince, Matthew R. Radmer, Michael J. Rice, David J. Squire, Sarah A. Strong, Joshua R. Wurst, and I are the inventors on the '759 publication.

5. David S. Hays, Shri Niwas, Tushar Kshirsagar, Tarun K. Ghosh, Shalley K. Gupta, Philip D. Heppner, Bryon A. Merrill, Michael E. Danielson, John F. Gerster, Chad A. Haraldson, Sarah Johannessen, Maureen A. Kavanagh, Kyle J. Lindstrom, Ryan B. Prince, Matthew R. Radmer, Michael J. Rice, David J. Squire, Sarah A. Strong, and Joshua R. Wurst are co-inventors on the '759 publication but are not inventors of the claimed invention in the '897 application.

6. David S. Hays, Shri Niwas, Tushar Kshirsagar, Tarun K. Ghosh, Shalley K. Gupta, Philip D. Heppner, Bryon A. Merrill, Michael E. Danielson, John F. Gerster, Chad A. Haraldson, Sarah Johannessen, Maureen A. Kavanagh, Kyle J. Lindstrom, Ryan B. Prince, Matthew R. Radmer, Michael J. Rice, David J. Squire, Sarah A. Strong, and Joshua R. Wurst did not contribute to the invention claimed in the '897 application.

7. I, Jason D. Bonk, declare that all statements made herein of my own knowledge are true and that these statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like are made punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the U.S.C. and that such willful, false statements may jeopardize the validity of the application or any patents that may issue thereon.

Dated: 12-10-2009

Jason D. Bonk
Jason D. Bonk